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Before the
FEDERAL COMMUNCATIONS COMMISSION
Washington, D.C. 20554

In re:	)	
	)	
Community Broadcasting Service	)	**MB Docket No. __ - __**
	)	
Petition For Rulemaking to Amend DTV Table Of Allotments for Station WABI-DT, Bangor, Maine	)	**RM No. _____**

To: The Secretary
Attn: Chief, Media Bureau

SUPPLEMENT TO PETITION FOR RULEMAKING

Community Broadcasting Service ("Community Broadcasting"), hereby submits this Supplement to Petition for Rulemaking, to present a justification showing for a potential small loss area resulting from the proposal previously submitted pursuant to Section 73.623 of the Commission's rules, 47 C.F.R. §73.623, in its Petition for Rulemaking to amend the DTV Table of Allotments ("Petition") to change the post-transition, DTV channel assignment of Station WABI(TV), Bangor, Maine (Facility Id. 17005) (the "Station" or "WABI") to Channel 12 from DTV Channel 19 in the proposed final DTV Table.[1]

The grant of the instant Petition is in the public interest by allowing the Station more opportunities to provide the continuing high level of programming and broadcast service to the public. The proposed channel change of the post-transition DTV channel assignment for WABI to DTV channel 12 from Channel 19 results in nearly identical contours while utilizing

[1] WABI-TV was assigned DTV Channel 19 by the Commission and is currently licensed and operating on that channel. BLCDT-20050909AAM.

significantly less power which in turn allows more resources to be dedicated to serving the public.

The Commission staff has raised the issue that the proposed channel change may result in a small theoretical loss area which is represented by a small band along the edge of the contour. Attached as Exhibit A is a map demonstrating that Longley-Rice methodology indicates a potential loss area due to terrain issues along much of the outer edge of the proposed contour of the proposed DTV Channel 12. Any population loss area is theoretical in nature and due to terrain issues. In fact, the engineering exhibit attached to the original Petition showed that the total population and area within the proposed Channel 12 contour is actually higher than the Channel 19 population.[2] Any theoretical loss would be less than 2%, would not occur over any large well-defined service area and would be distributed around the edge of the contour area, so no one location would suffer a significant loss to viewers and the majority of the viewers who may experience a loss would be served by another network affiliate.

Furthermore, the proposed DTV Channel allotment change incorporates the maximum allowable ERP for the given antenna height using an omni-directional antenna. The ERP is capped by Section 73.622(f)(ii): ERPmax = 97.35-33.24*log10(HAAT). The Station's ERP as proposed is not limited by interference considerations in any direction in this case but is limited by the formula above which is applicable to all broadcast stations in this zone on Channel 12. Thus, there is no way to get more coverage area even if mileage separation rules were

[2] The Engineering Statement attached to the Petition for Rulemaking shows that the total population within the Channel 19 contour is 509,350 and the total area is 32,260.99 sq. km as compared to the total population within the proposed Channel 12 contour which is 509,580 and the total area is 32,303.21 sq. km. The proposed Channel 12 contour actually covers more area and population than the allotted Channel 19 contour.

inapplicable. If not for the cap contained in Section 73.622(f)(ii), WABI could have applied for a greater coverage area to compensate for the coverage differences between the proposed facility and the Appendix B facility.

As demonstrated by the attached Exhibit A, approximately one quarter of the Station's proposed and current digital contour is over the ocean and so will not have an adverse impact on any viewers. Another approximately one quarter of the theoretical loss area in the proposed DTV contour occurs in Franklin, Kennebec, Androscoggin, Lincoln and Knox Counties which are in the Portland, Maine DMA and are served by WGME-DT, Portland, Maine (Fac. ID 25683) which, like WABI, is a CBS affiliate.[3] Therefore, approximately half of the area which might experience a theoretical loss of service is served by a different CBS network affiliate or is not populated.[4]

The remainder of the theoretical loss area along the perimeter of the proposed Channel 12 digital contour is over the northern half of the digital contour area. As approximately half of Maine's population resides in the Portland metropolitan area which is toward the southern end of the contour, the theoretical loss coverage to the northern half of the digital contour area is not as significant. The U.S. Census Bureau shows that the population density for Cumberland County, in which Portland is located, is 318 persons per square mile.[5] In contrast, the counties in which the border area is to the north of WABI and in WABI's DMA, are Somerset, Piscataquis,

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[3] TV & Cable Factbook, 2008 Edition.

[4] It should also be noted that 80% of viewers in WABI's DMA now have alternative delivery systems available and so any viewer in the theoretical loss area could have access to programming through these other delivery systems. *See* Penetration Estimates p.1, Nielsen Media Research, May 2008 for the Bangor, Maine DMA.

[5] U.S. Census Bureau, Census 2000, http://factfinder.census.gov.

Penobscot, Hancock, and Waldo Counties.[6] According to the U.S. Census Bureau, Somerset and Piscataquis Counties have a population density of only 4-26 persons per square mile, and the counties of Penobscot, Hancock, and Waldo have a population density of only 33-50 persons per square mile.[7] Accordingly the majority of any actual service loss is most likely compensated for by the coverage of WGME-DT.

The proposed change, even with the possible minimal loss that might result, is clearly in the public interest and the advantage to the public far outweighs any theoretical loss area. As reflected in the Petition, WABI has an impressive record of public service. WABI is an independently owned station which has had the longest continuous ownership of any station in the country, has a long record of public service, and a willingness to make investments to provide better service to its viewers. In addition to other operational savings, the operation as proposed on digital Channel 12 requires substantially less power freeing up an estimated $100,000 per year or more in power costs and other operational efficiencies which would be available for operation of the Station. The amounts saved in operations are substantial to a local independent operator such as Community Broadcasting and would allow Community Broadcasting to continue to invest in local programming which has been the foundation of Community Broadcasting's mission while still competing with other stations in its market which have superior resources.

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[6] *Ibid.* footnote 3.

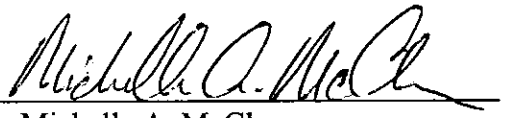
[7] *Ibid.* footnote 4.

The change in the post-transition DTV Table of Allotments conforms with all other relevant technical parameters for digital TV facilities and results in a more efficient use of the spectrum by reducing the consumption of natural resources while continuing to provide a high level of service to the community

For the foregoing reasons, Community Broadcasting requests that the Commission grant the Petition.

Respectfully submitted,

COMMUNITY BROADCASTING SERVICE

By: 

Michelle A. McClure
Alan C. Campbell
FLETCHER, HEALD & HILDRETH, PLC
1300 North 17th Street, 11th Floor
Arlington, Virginia 22209
703-812-0400 - Telephone

Its Attorneys

July 17, 2008

Exhibit A

ENGINEERING STATEMENT

ENGINEERING STATEMENT PREPARED BY RYAN WILHOUR OF THE FIRM KESSLER AND GEHMAN ASSOCIATES, INC., TELECOMMUNICATIONS CONSULTING ENGINEERS IN CONNECTION WITH COMMUNITY BROADCASTING SERVICE IN SUPPORT OF A SUPPLEMENT TO PETITION FOR RULEMAKING WHICH SEEKS AUTHORIZATION TO AMEND THE DTV TABLE OF ALLOTMENTS WABI-DT FACILITY ID NO.: 17005 BANGOR, ME

Community Broadcasting Service has filed a petition for rulemaking seeking to modify the following WABI-DT (Facility Id. 17005) Appendix B[1] technical parameters:

- Channel: 19 to 12
- ERP: 465kW to 11.98kW
- Antenna ID: pattern number 74868 to Omni-Directional

Selection of the proposed ERP was calculated based upon the cap in Section 73.622(f)(ii) and was not limited by interference considerations. Calculations are as follows:

- ERP = 97.35-33.24*log10(HAAT) = 97.35-33.24*log10(402) = 10.786 dBk = 11.98 kW

Upon review of the petition the Commission Staff raised the issue that there is an OET69 analysis population loss associated with the proposed facility relative to the Appendix B facility. Exhibit E1 in the original petition demonstrates that the population in the proposed contour contains 230 more people than the Appendix B contour and further demonstrates that the coverage contours are nearly identical. An OET69 analysis reveals that the proposed WABI-DT facility is predicted to receive insignificant[2] interference from only one facility which is WNAC-DT. The Commission staff has determined that the proposed facility will have a population loss over the appendix B facility of approximately 2%. Since the proposed facility receives insignificant inbound interference and the coverage contours are nearly identical it can be concluded that the population loss is due to inherent propagation differences of between VHF and UHF channels. Exhibit SE1 attached hereto highlights red areas within the contour which constitute a loss area due to VHF and UHF propagation differences. Some of the difference area is over the water and some of it is within the WGME-DT coverage contour area which is also a CBS network affiliate. Since the calculated loss areas are subject to theoretical propagation model differences much of which are over the water and common affiliate

[1] *"Seventh Report and Order and Eighth Further Notice of Proposed Rule Making"* Re: In the Matter of Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service. (MB Docket No. 87-268, FCC 07-138) adopted August 1, 2007 and released August 6, 2007

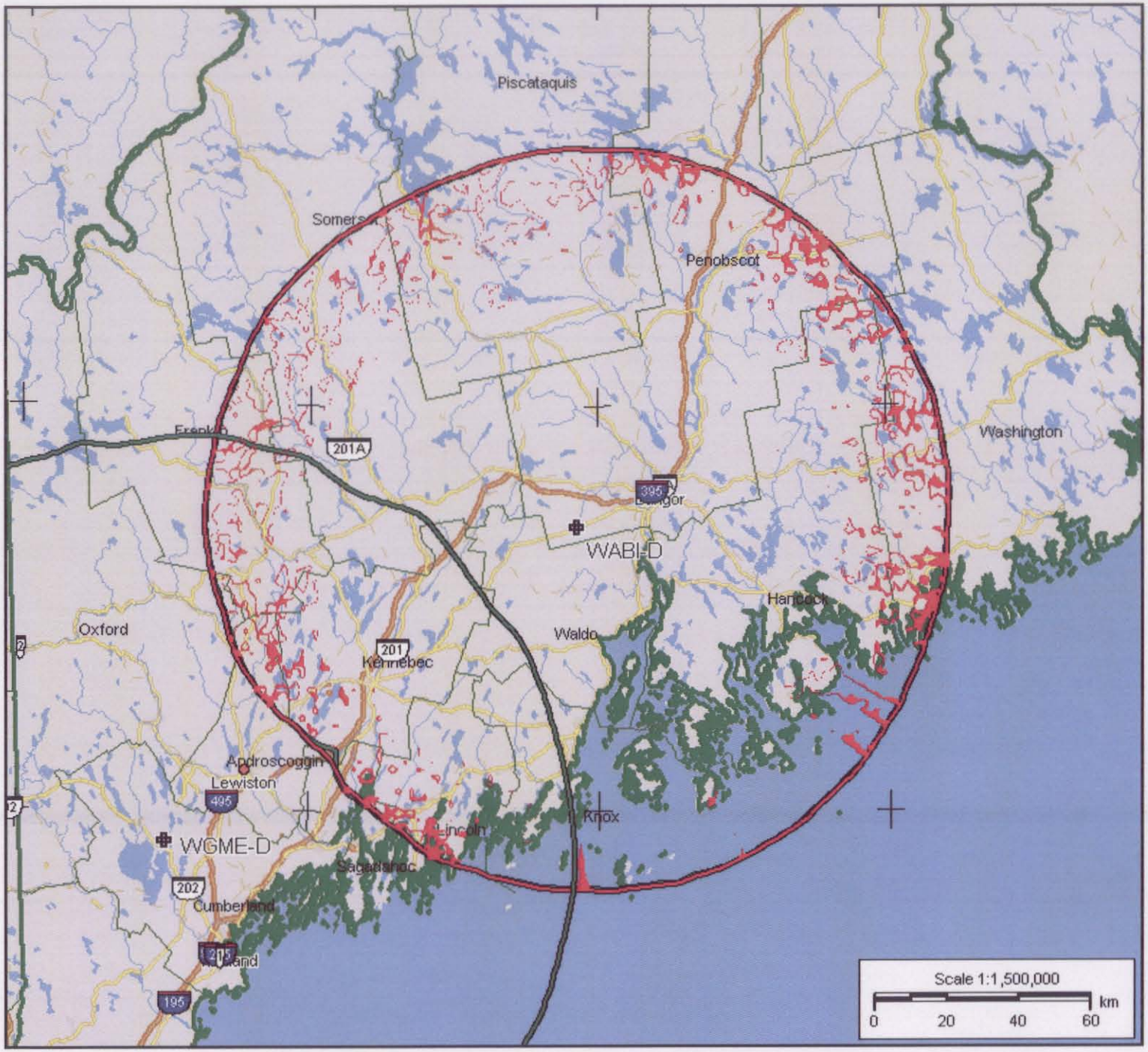
[2] Approximately 271 people or 0.058% of the WABI-DT service population

areas, and constitute such a small percentage of total viewer population for the benefit of using significantly less ERP, Community Broadcast requests that the Commission grant the Petition.

I, Ryan C. Wilhour, am an associate of Kessler and Gehman Associates, Inc. with offices in Gainesville, Florida. I am a graduate of the University of Florida with a Bachelor of Science Degree in electrical engineering. The forgoing statement and the report regarding the aforementioned engineering work are true and correct to the best of my knowledge Executed on July 17, 2008.

KESSLER AND GEHMAN ASSOCIATES, INC.

Ryan Wilhour
Consulting Engineer



WABI-D
ALLOTMENT
Latitude: 44-42-13 N
Longitude: 069-04-47 W
ERP: 465.00 kW
Channel: 19
Frequency: 503.0 MHz
AMSL Height: 521.0 m
Elevation: 298.741 m
Horiz. Pattern: Directional
Vert. Pattern: Yes
Elec Tilt: 0.0
Prop Model: None

WABI-D
BPRM20080620AFD
Latitude: 44-42-13 N
Longitude: 069-04-47 W
ERP: 11.98 kW
Channel: 12
Frequency: 207.0 MHz
AMSL Height: 516.72 m
Elevation: 298.741 m
Horiz. Pattern: Omni
Vert. Pattern: Yes
Elec Tilt: 0.0
Prop Model: None

WGME-D

Latitude: 43-55-28 N
Longitude: 070-29-28 W
ERP: 1000.00 kW
Channel: 38
Frequency: 617.0 MHz
AMSL Height: 606.0 m
Elevation: 121.69 m
Horiz. Pattern: Directional
Vert. Pattern: Yes
Elec Tilt: 0.0
Prop Model: None

EXHIBIT SE1